In the High Court of Punjab and Haryana, Chandigarh.

C.R. No.4596 of 2007

Date of Decision: 11.09.2007

Harbans Lal

…Petitioner.

Versus

Harbans Lal and Others.

…Respondents.

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.K.S.Saini, Advocate
for the petitioner.

JUDGMENT

RAJESH BINDAL, J.

The challenge in the present petition is to the order dated August 6, 2007 passed by the learned Civil Judge (Junior Division), Panchkula. Whereby the application filed by the petitioner for appointment of Local Commissioner was dismissed. The application was sought to be filed in a suit pending since August 1997 at the stage when it is fixed for rebuttal evidence which is not at all justified. Even otherwise, the Division Bench of this Court in **Pritam Singh and another v. Sunder Lal and others 1990(2) Punjab Law Reporter 191** has already taken a view that order refusing to appoint a Local Commissioner neither decides nor adjudicate rights of the parties for the purpose of the suit and no revision against such an order was held to be

maintainable.

Accordingly, I do not find merit in the present petition and the same is dismissed.

(Rajesh Bindal)
Judge

September 11, 2007
"DK"